

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

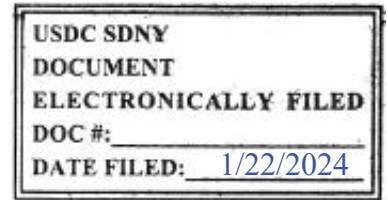
LUIS MERCEDES,

Plaintiff,

-v.-

ROSE & REMINGTON NORTH, INC.,

Defendant.



23 Civ. 08556 (JHR)

ORDER

JENNIFER H. REARDEN, District Judge:

On January 19, 2024, Defendant filed a motion to dismiss the complaint under Rule 12(b) of the Federal Rules of Civil Procedure. Under Rule 15(a)(1)(B), a plaintiff has twenty-one (21) days following service of a motion under Rule 12(b) to amend the complaint once as a matter of course.

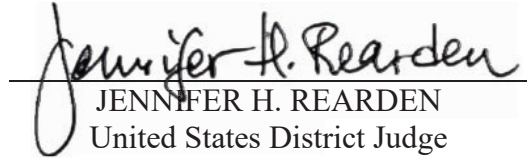
Accordingly, it is hereby ORDERED that Plaintiff shall file any amended complaint by **Friday, February 9, 2024**. Pursuant to Rule 1.D of the Court's Individual Rules and Practices in Civil Cases, available at <https://nysd.uscourts.gov/hon-jennifer-h-rearden>, any amended complaint should be filed with a redline showing all differences between the original and revised filing. Plaintiff will not be given any further opportunity to amend the complaint to address issues raised by the motion to dismiss.

If Plaintiff does amend, then by three (3) weeks after the amended complaint is filed, Defendant shall: (1) file an answer; (2) file a new motion to dismiss; or (3) file a letter on ECF stating that it relies on the previously filed motion to dismiss. If Defendant files an answer or a new motion to dismiss, the Court will deny the previously filed motion to dismiss as moot. If Defendant files a new motion to dismiss or indicates that they rely on their previously filed motion to dismiss, then any opposition shall be filed within fourteen days, and any reply shall be filed within seven days of any opposition.

If no amended complaint is filed, then Plaintiff shall file any opposition to the motion to dismiss by **Friday, February 9, 2024**. Defendant's reply, if any, shall be filed by **Tuesday, February 20, 2024**.

SO ORDERED.

Dated: January 22, 2024
New York, New York



JENNIFER H. REARDEN
United States District Judge